GOVERNMENT OF INDIA
SHIPPING
LOK SABHA

UNSTARRED QUESTION NO:3586
ANSWERED ON:07.08.2002
RECONSTITUTION OF MAJOR PORT TRUST BOARD
PRABHAT KUMAR SAMANTARAY

Will the Minister of SHIPPING be pleased to state:

(a) whether Major Port Trust Boards are reconstituted as per the provisions of the Port Trust Act;

(b) if so, how many reconstituted Boards of Port Trusts do not have labour representation;

(c) whether identical procedure is adopted for labour representation in all Major Port Trust Boards; and

(d) if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF SHIPPING (SHRI SU. THIRUNAVUKKARASAR)

(a): Yes, Sir.

(b): The appointment of labour trustees has been done on all the Boards of Trustees of the Major Ports except Chennai and Paradip. In Chennai Port Trust there is a stay obtained by some of the Unions from Madras High Court against appointment of Labour Trustees based on the Check Off system and have prayed for implementation of Secret Ballot system.In Paradip Port Trust, consequent to the majority Unions' view to implement Secret Ballot, the Ministry of Labour has already been advised by the Ministry of Shipping to conduct Secret Ballot. In a court case filed by a Union in Orissa High Court on this issue, the Hon'ble Court has in its order dated 18.4.2002, directed the Chief Labour Commissioner (Central) to issue necessary instructions to all concerned keeping in view the request of the Ministry of Shipping to conduct Secret Ballot in Paradip Port Trust.

(c) & (d): The appointment of Labour representatives in Major Port Trust Boards is done under the provisions of Major Port Trusts Act, 1963. Earlier, the strength of the unions was ascertained as per the verification done by the Ministry of Labour. Subsequently, from 1998, in view of the majority decision of the Major Federations of Port and Dock Workers, the Government has replaced the verification system by check off system. Subsequently, Jawaharlal Nehru Port Trust and Tuticorin Port Trust opted for Secret Ballot after consulting local unions. Thereafter, the other Major Port Trusts, whose Boards of Trustees were due for reconstitution in 2002, were also advised in October, 2001 to consider introduction of Secret Ballot after eliciting majority support from local unions.